
November 21, 2022

The Honorable Raul M. Grijalva
Chair
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

RE: ABA Support for H.R. 3587, the Requirements, Expectations, and Standard Procedures for Effective Consultation with Tribes (RESPECT) Act

Dear Chair Grijalva:

I write on behalf of the American Bar Association (ABA), the largest voluntary association of lawyers and legal professionals in the world, to commend and thank you for your persistence in seeking to clarify provisions in the RESPECT Act, H.R. 3587, in response to stakeholder concerns. The ABA also appreciates the high priority you have assigned to this legislation and your efforts to complete committee action swiftly. We urge members of your committee to support the bill at markup and report it to the floor before this Congress ends.

The ABA adopted [policy](#) last August urging all levels of government to engage in good faith and meaningful tribal consultation to address government actions impacting tribal lands, citizens, interests, or livelihoods. Moreover, our policy specifically supports enactment of the RESPECT Act to strengthen the federal government's ability to uphold its trust and treaty responsibilities by codifying requirements for meaningful tribal consultation. It also urges enactment of specified government-wide standards for identifying agency actions and regulations that have tribal impacts, conducting adequate outreach to tribal governments, documenting tribal consultation, and implementing training to improve federal-tribal relations. H.R. 3587 includes all of these items.

Presidential Memoranda issued by the current and past administrations direct agencies to engage in regular and meaningful consultation with tribal leaders when formulating federal policy that affects tribal nations, but they have provided insufficient guidance, lack permanence, and are unenforceable. This lack of clear and consistent consultation standards has hampered agencies in their compliance efforts. Enactment of the RESPECT Act will help remedy these problems and strengthen our nation's commitment to uphold its trust and treaty obligations to Tribal Nations.

Sincerely,



Deborah Enix-Ross

cc: Members of the Committee on Natural Resources